Friends of Altdorfer's Slayer Seek \$5.000 Bond for His Release.

By RALPH A. COLLINS.

ROCKVILLE, Nov. 27.—Hopelessly disagreed and declaring there was no Isthmian Canal Commission Altdorfer, his friend of many years, were discharged Judge Peters this afternoon

Friends of Fisher immediately be gan scurrying about for a \$5,000 bond upon which he is to be released pending another trial.

Report On Disagreement.

The first intimation of a disagreeme developed at 9:59 o'clock this forenoon when the jury reported to Judge Peter that no verdict had been reached, and that the jurors stood "8 to 4." No hint was given other than the bare state ment of the figures. Judge Peter instructed Foreman Day

that there was no need of telling how the jury stood, but, despite this fact, Mr. Day made the announcement and repeated it. Attorneys for Fisher promptly made a motion for the discharge of the jury on the ground that out Judge Peter overruled the motion After giving some brief instructions Judge Peter sent the jury back for beration. The case was then onsidered for three hours longer, with definite results. There is no hints as to how the twelve men stood when the court took the case out of their

Long Session Evident.

yesterday it became evident Thanksgiving Holiday if possible would be held. All of those with a deep interest in the case stuck to their guns. Mrs. Altdorfer suffered a partial ner yous collapse. She was given treatment by one of the medical experts who for the defense. She stayed through to the last moment however, when the jury was locked up, when in npany with Miss Reeves, and Lewis ier, fr., she was taken to her home gton a little before 3 o'clock

sion. Mrs. Elizabeth Stier of Altdorfer, testified a alth and physical condition. She to knowing Miss Reeves and her and Altdorfer were friendne said that Altdorfer had been with tuberculosis ever since his in the Philippines, that he "awful," had a bad cough, coughing sometimes all night. When asked what Mr. Altdorfer's attitude was toward Miss Reeves, she replied that he liked her, treated her well, took her into his home and treated her as one

Lawyers Argue.

long argument between counsel with citation of authorities was participated when Mrs. Stinert was asked "What were the relations between Mr. Fisher and Mrs. Altdorfer, Mr. Peter, of counsel for the defense, objected, and the question was ruled out. A question as to whether Mrs. Stinert knew anything from the statement of Pisher as to whether he was a married man, was objected to and withdrawn. To a question in different form, Mrs. Stinert said. "He told me he had been married."

Mrs. Altdorfer was next called. She testified as to her marriage in October 06, and her acquaintance with Fisher. As to Altdorfer's health, Mrs. Altdorfer said that he had a cough, but that she had always considered it to be from excessive use of cigarettes. She said he had been examined for tuberculosis in the Philippines, and said that he had it, but that he was not emaciated, but was a florid, strong looking man. Testimony as to a pension affidavit concerning Altdorfer's health was ruled

On cross-examination, Mrs. Altdorfer said that Fisher and Altdorfer had always been friends, and that Altdorfer er had invited Fisher to live with them. Luther S. Cannon, principal examiner at the Bureau of Pensions, who brough a lot of pension papers, was then put on the stand. The affidavits were ob-jected to, but the court over-ruled and a supper recess was taken.

Affidavit Read. Court convened again at 7:30 o'clock with Mr. Cannon on the stand. An affidavit of Fisher in the pension case was then read. It told of hemorrhages,

and of rheumatism, that, combined with the other disease," incapacitated Altdorfer for an able-bodied man's Another statement as to Altdorfer's physical condition sworn to before Ex-aminer Bentley, was read. It was sim-liar to the other one. The State rested

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clared that while Altdorfer's endur ance might not be good, he would be a strong man in a short struggle. He told of an experience in which he

Rheumatism

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heumatism, and it effected a cure in very case. I want every sufferer from any form of heumatic trouble to try this marvelous calling power. Don't send a cent; simply nail your name and address and I will end it free to try. After you have used t and it has proven itself to be that ong-looked-for means of curing your Rheumatism, you may send the price of it, one dollar, but, understand, I do not cant your money unless you are perfectly one dollar, but, understand, I do not it your money unless you are perfectly smed to send it. Isn't that fair? What ar any longer when positive relief is a offered you free? Don't delay. Write

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tried to quiet Altdorfer and the man his physical equal. "Could a man in this condition as sault another?" he was asked. "Yes," he replied. "Yes," harder?"

"What effect has alcohol on a man's sexual passions?"
"It depends upon the form of alcohol and the man taking it. The most generally noted effect is excitement."

Muscles Were Hard. Dr. Adams further testifled that if an examination in 1910 Altdorfer's muscles were hard, and that in his opinion a man in Altdorfer's condition could endanger a life through

tion could endanger a life through choking.

On cross-examination he testified to treating Mr. Altdorfer for other disease than tuberculosis. A hypothetical question by the State brought a long wrangle, and was finally abandoned. Dr. Edward Anderson, and Dr. F. M. Henderson, who examined Fisher in the Rockville jail on the Sunday following the Friday night, testified that his throat was inflamed and that this inflammation might have been caused by choking. They testified as to abrasions or injuries to both elbows and scratches on the face.

Virgil C. Miller, chief clerk of the disbursing office of the Isthmian Canal Commission, was called as a character witness for Fisher. A long wrangle ensued as to the delineation of testimony as to good character. Mr. Miller was heard. He was followed by Andrew J. Cummings, member of the Maryland house of delegates, who lived near and played golf with Fisher, and Dr. Harry Ciaflin, the Washington optician, who testified as to good character. Similar testimony from Col. Henry T. Allen was read into the record.

To save time, the State conceded on agreement that Altdorfer had a bad reputation for peace and order.

The State also conceded an agreement that the maiden name of Mrs. Altdorfer was Fischer, and that when Mrs. Altdorfer registered in Washington a week before the tragedy, she took her maiden name, Fischer, and not the name Fisher.

Fisher Gets Excited.

Fisher was the last witness. On direct examination in his own behalf, he gave a dramatic recital of the stabbing. oming excited as he detailed the events of the last fatal scuffle. He grasped the shears that had pierced Altdorfer's breast to illustrate how the stabbing was done. He was given a grueling cross-examination by Attorney Garrett, and at some points became sufficiently roused to make quick retorts to que tions.' During this examination counsel for both sides clashed frequently, while Judge Peter endeavored to expe

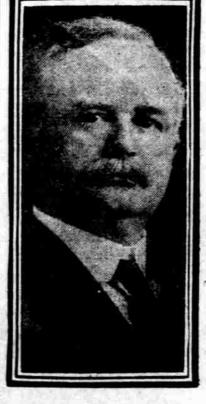
Peter asked that the witness take of

when Fisher took the stand, Attorney
Peter asked that the witness take of
his outergarments—coat, vest, and shirt—to show his physical qualities. On
objection this was overruled.

Fisher testified that he was thirty—
nine years old yesterday, and detailed
the events of his meeting with Altdorfer
in Manila. When asked a question as
to the proprietorship of the house in
which he lived in Chevy Chase, he replied: "My house."

When Fisher began relating the events
of the fateful night, he asked that women be excluded from the room. Miss
Reeves and two others left. "On this
afternoon," said Fisher, "I phoned Miss
Reeves that I would not be home as I
expected to make a call on Miss Henry
in Georgetown. I later changed my
mind and went home. I ran from the car I
through the rain. I went through the
kitchen to my room. Miss Reeves was

Discharges Fisher Jury



JUDGE EDWARD C. PETER,

father is in his room crazy drunk and has been awful with me.' Changed Clothing.

"In my room I changed my clothing outting on dry socks and trousers. that Altdorfer got to bed all right. Altdorfer was in the kitchen eating a tomato. I passed him, but I do front of the house and was looking out of the front door, when I heard footsteps. I turned and saw Altdorfer put his hands on Miss Reeves' shoulder. He grabbed her, saying (here Fisher quoted riolent and obscene language and tried

to force her backward.

"This was too much for me. I ran and grabbed Altdorfer by the throat. We tusseled all over the floor, and I asked Lillian to call Mr. Turner to help me. Finally Altdorfer became quiet.

"I said, 'for God's sake, what is the matter with you? Forget it now; go to bed. You den't know what you are doing; it is all right.'

doing; it is all right." He said, 'All right, Bill.'
"Mr. Turner looked in at the point.
I was bending over Mr. Altdorfer patting him on the shoulder, and Mr. Turner went back home thinking it was all right. I got up and walked over to the lesk, leaning on it to get my breath and strength. Altdorfer got up and sat upon the metre. He set there four or and strength. Altaorier got up and sat upon the settee. He sat there four or five seconds before he said a word. Then he said (a string of epithets followed) "I will get you before I go to bed if I have to put a bullet in you," "I said come on, it's all right. Go to

wanted. I had stopped him."

"Were you victor in the first encounter."

This portion of Fisher's testimony was toward the door, when't their came in his face the most horrible look possible in the countenance of any human eim.

"He pounced upon me. He had me not over the desk. I got the shearn it had the handle in my hand with point down. I pressed the shearn sat him and used my hips to throw back. He had me by the throat, were the furniture. We note that the world in the shearn is the shearn of Aldorfer that he would gath in the side, but how did he demand and sharpland law to show that no man liver a blow near the center of the must feeding, that young girls. "Remember that fisher prevented the worst crime known to law and solve in the counter in the second seuffered by objections and argument of counsel. Mr. Fisher repeated the oaths and statement of Aldorfer that he would get him.

"And you did not leave?" asked the shears not him and used my hips to throw back. He had me by the throat, we can the furniture. We not the first can be satisfaction I avariedous man." Mr. Dawson quoted Maryland law to show that no man liver a blow near the center of the must feeding that young girls. "Remember that fisher prevented the worst crime known to law and solve in the order that man father, that brute, without father, without mother, but without father, that brute the worst crime known to law and solve in the worst crime known to law and solve in the worst crime known to law and solve in the worst crime known to law and solve in the worst crime known to law and solve in the worst crime known to law and solve in the worst crime known to law and solve in the worst crime known to law and solve in the worst crime known to law and solve in the worst crime known to law and solve in the worst crime known to law and

in back. He had me we circled the room twice before I struck, and then I only did it because I knew it was the last hope and I stabbed. I know he tried to get me; his acts prove it."

Fisher was interrupted at this point for entering the field of argument. When he continued it was with reference to his measurements as compared with those of Altdorfer. He said that he was 5 feet 5 inches and weighed about 172.

The backed me around, trying to trip that he had now.

"Yes."

"I he was choking you, why did you not jab him in the heart for."

"I don't know, Mr. Garrett."

"I don't know. There was no time to reflect or figure then."

"I don't know. There was no time to reflect or figure then."

"Didn't blood spurt on you?"

"No blood spurt on you?"

"You struck his beart?"

"I struck at random. The first blows had no more effect than if I had no more ence to his measurements as compared with those of Altdorfer. He said that he was 5 feet 5 inches and weighed about 112 pounds, while Altdorfer was 5 feet 11 inches and weighed about 173. He said that Altdorfer was powerful, and that he had seen this power when they worked together in the garden. He said they were the best of friends and had no trouble up to this time. denied Mrs. Stinert's statement the had made threats against Altdorfer Stinert's statement tha Letter Introduced.

A letter was introduced by Attorne Peter written by Altdorfer to Fisher in Washington for him. Mrs. Altdorfer had to leave El Paso for her health, the letter said.

Attorney Garrett took up the cross-examination. He asked first about Fisher's statement. "My house." Fisher said that he had seen the house on a ramble, and thought it would be a good investment. He bought it with the understanding that Altdorfer was to share half

haif.
On cross-examination. Fisher maintained that he made it a point to see that Altdorfer got to bed when he came home drunk, because he (Fisher) was the only one who could do anything with him. He handled him by suasive prover he said. Then Attorney Garrett. power, he said. Then Attorney Garrett asked: "If you always handled him by persuasion, why did you not do it when he made this advance to that

"That is something else," Fisher a swered; "you could not expect me to remain quiet and look out of the win-dow while such a thing was going on." "When you grabbed him by the throat, then "I provided Me. then," inquired Mr. Garrett, "he fo the first time in his life attacked you?

No Trouble Before. "Had you ever before jumped at o upon him?" the prosecutor asked

"No. He never tried to criminally assault a girl before," Fisher replied "The girl tried to push away from him. "Why did you grab his throat?" "Because I could not handle him any other way.

"I was."
"After you had him on the floor you

Fisher was then cross-examined as to an affidavit or deposition made in a pension application by Alidorfer. This, however, was cut short by the court. Dr. C. H. Mannar testified that a contestimony a few minutes before mid-

Peter written by Altdorfer to Fisher, and send from El Paso to Washington by Mrs. Altdorfer. In it Altdorfer suggested that Fisher and Mrs. Altdorfer make a little home, just as they would if they were all three together, that he might have a place to go if he got down and out. He also asked that Fisher see if he could obtain a position in Washington for him. Mrs. Altdorfer had to leave El Paso for her health, the letter said.

Attorney Garrett took up the crossexamination. He asked first about Fisher's statement "My house." Fisher said that he had seen the house on a ramble, and thought it would be a good investment. He bought lt with the understanding that Altdorfer was to share health of the prosecution. He told the jury that they must get over the idea that he saved Miss Reeves, who had always lived with altdorfer as father and denerter.

must get over the idea that he saved Miss Reeves, who had always lived with Altdorfer as father and daughter, from dishonor.

"The most significant thing about this case is this. It was Fisher's duty to retreat, to leave the house. But he got the shears, and waited for poor old Altdorfer. He did not let up with him, until the friend who came home drunk lay at his feet. dead.

Suggests Malice.

"There may be a doubt in this case that this was done with malice aforethought, which would prevent a verdict of first degree murder, but when a weapon used is sufficient to bring about death that is sufficient in the law to suggest malice aforethought. Don't let counsel object or laugh this case out of court. Society demands

"Isn't there mystery in this case? Is it not veiled? Counsel for the de-fense did not dare to make open state-Mr. Garrett concluded with a state-ment of his employment as special

Mr. Garrett concluded with a statement of his employment as special counsel in the case for the State, and the declaration that Fisher had no regret, had shown none, but even stood in court seeking vengeance.

Thomas Dawson opened for the defense. He chided Mr. Garrett for his assumers! and declared that when Fisher acted, he was looking into eternity at the hand of "that powerful and

printed in a Washington newspaper that "before Judges Peter and Worth-ington took the beach there was 4 long conference in the judge's room over the absence of witnesses. It was charged absence of witnesses. It was charged by the prosecution, it is understood, that the defense had interfered with the attendance of the State witnesses diving in the District of Columbia."
"If that statement was true," said Judge Peter. "It must have been made without foundation in fact, for there is no truth in it. There was nothing of the kind broached at the conference."

States Attorney W Outerbridge Spates concluded the arguments. He dwell on the alleged divergence of the testimony of Fisher and Miss Reeves as to the actual events the night of the stabling. How was it," he asked, "that Fisher found the shears so quickly? He is supposed to have bested Altdorfer at first and to have thrown him down. As a matter of fact, Altdorfer fell. He must have fallen and lay exhausted as he did not strike or kick or struggle. "The attorney asked the jury to determine for itself how it was possible for Fisher to stab Altdorfer in the heart, if, as Fisher said, Altdorfer had him by the throat all the time. "I can see," he said, "how he might have

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n the case as disgusting, and said he never had another such.

States Attorney W Outerbridge Spates concluded the arguments. He dwelt on the alleged divergence of the testimony

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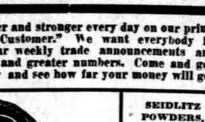
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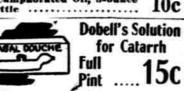
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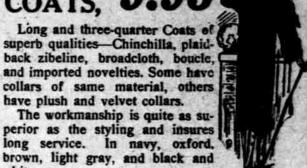
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atum, 12c.

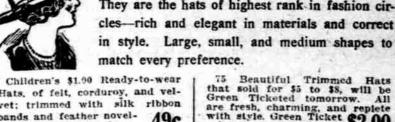
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